

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ELIZABETH ANNE MINNEY,)	Civil Action No. 2: 12-cv-1732
)	
Petitioner,)	Judge Joy Flowers Conti
)	Magistrate Judge Cynthia Reed
v.)	Eddy
)	
RHODA A. WINSTEAD, Superintendent,)	
)	
Respondent.)	

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a Petition for Writ of Habeas Corpus (ECF No. 1) on November 27, 2012, and was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the local rules of court.

On April 16, 2013, the Magistrate Judge filed a Report and Recommendation (ECF No. 12) recommending that the Petition for Writ of Habeas Corpus filed by Petitioner Elizabeth Anne Minney be dismissed and that a Certificate of Appealability be denied. Petitioner was served with the Report and Recommendation at her listed address and was advised that she had until May 3, 2013 to file written objections to the Report and Recommendation (ECF No. 12). No objections were filed.

The Court was concerned that Plaintiff may not have received the Report and Recommendation as the inmate number listed on the Court's docket appeared to be incorrect. The Docket reflects that Plaintiff's inmate number is 086484; however, Plaintiff's inmate number on the Pennsylvania Department of Corrections Inmate Locator is shown as OS6484.

Therefore, in an abundance of caution, on May 31, 2013, the Court resent the Report and Recommendation and advised Petitioner that she had until June 14, 2013, to file written objections to the Report and Recommendation (ECF No. 13). To date, no objections have been filed.

After *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 27th day of June, 2013;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Petitioner Elizabeth Anne Minney (ECF No. 2) is **DISMISSED** and that a Certificate of Appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF. No. 12) dated April 16, 2013, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc: ELIZABETH ANNE MINNEY
086484
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